

Art Unit: 2165

Please insert the following rejection in the section of (9) Ground of Rejection of the Examiner Answer mailed on May 12, 2009:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 5 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi et al. US 6,795,097 B1 (hereinafter referred as Yamaguchi) in view of Hostettler US PGPub 2003/0192030 A1 (hereinafter referred as Hostettler).

As per Claim 5, and also applied to Claim 1, Yamaguchi discloses “wherein the plurality of second management tables belonging to each of said plurality of the first management tables form a sequence” as menu item data D100f includes data for items 1 to N sequentially (Yamaguchi, column 17, lines 51 - 52 and Figure 31B).

However, Yamaguchi does not disclose the limitation of "leading position information and number-of-tables information of said plurality of second management tables are assigned to each of said plurality of the first management tables".

On the other hand, Hostettler discloses such limitation as a menu structure that defines number of menus, position of the menus, and the number of menu items (Hostettler, paragraph 0015, lines 1 – 6).

Art Unit: 2165

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Yamaguchi's invention to assign number of menu, position of menu to the menu data list in view of Hostettler. Doing so would provide advantages such as a means for effectively defining menu item structure for each menu.

As per Claim 16, an also applied to Claim 5, Yamaguchi discloses "file storing menu display control data" as a program storage medium used to install the jog-dial utility program (Yamaguchi, column 26, lines 4 – 14).

/Neveen Abel-Jalil/

Supervisory Patent Examiner, Art Unit 2165